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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,110	02/16/2001	Akio Sugaya	35.G2743	2549

5514 7590 04/02/2004

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EXAMINER

BANANKHAH, MAJID A

ART UNIT PAPER NUMBER

2127

3

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/784,110

**Applicant(s)**

SUGAYA, AKIO

**Examiner**

Majid A Banankhah

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on February 16, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This office action is in response to application filed on March 15, 2001. Claims 1-42 are considered for examination.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 11-13, 21-23, and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurachi (U.S. Pat. No. 6,353,484, hereinafter, Kurachi).

Per claims 1, 11, 21, and 31, Kurachi teaches of:

an information processing apparatus comprising:

first storage means for storing job information relating to output jobs within an output apparatus in a first storage area (Abstract, col. 2, lines 25-29, *Print job information*),

second storage means for storing job information relating to output jobs within an output control apparatus (col. 2, lines 41-44, *print job managing device*) for transferring an output job to the output apparatus in a second storage area (col. 2, lines 44-50, *management information to*

*identify the print job managed by the management device*) and display control means for

displaying a list of the job information relating to the output jobs within the output apparatus

(See abstract, and col. 8, lines 60-62, and *displaying the received print job information as a list*),

and the job information relating to the output jobs within the output control apparatus on a

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display unit based on the job information stored in said first storage area (col. 5, lines 5-6, *list of the print jobs are displayed*) and the job information stored in said second storage area (col. 10, lines 4-12, and col. 11, 5-12, *rough image data and rough image is displayed*).

Per claims 2, 12, 22, and 32, claim are rejected for the reasons stated in the rejection of claim 1, in addition the limitation of, further comprising third storage means for synthesizing the job information stored in said first storage area and the job information stored in said second storage area, and for storing resultant information in a third storage area is taught by Kurachi (col. 11, lines 5-12, *list of the print jobs, rough image and Fig. 5 where the two are put together in a third area*).

Per claims 3, 13, 23, and 33, claim are rejected for the reasons stated in the rejection of claim 1, in addition the limitation of, wherein said display control means displays an order of output of output jobs to be output by the output apparatus, based on the job information stored in said first storage area and the job information stored in said second storage area is also taught by Kurachi (See Fig. 5, and col. 11, lines 1-12).

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 4-10, 14-20, 24-30, 34-40, and 41-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurachi (U.S. Pat. No. 6,353,484, hereinafter, Kurachi) as stated in the rejection of claims 1-3, further in view of Kashiwazaki (U.S. Pat. No. 6,570,605, hereinafter Kashiwazaki).

Per claims 4, 14, 24, and 34, the claims are rejected for the reasons stated in the rejection of claim 1, however the reference of Kurachi fails to explicitly teach of instruction input means for accepting an instruction to change output schedule of an output job selected on the display unit is taught kurachi. However, the reference of Kashiwazaki in the same field of endeavor teaches of a print scheduling method and apparatus where the status of the printer is forwarded to a host computer (See, col. 2, lines 44-53) and a job schedule change command is provided that can change the schedule and order of a designated printing jobs stored in the job memory (col. 5, lines 4-6, "job schedule change command"). Therefore, it would have been obvious for a person ordinary skill in the art at the time the invention was made to change the order of the schedule of a printer output for the reason that when a user is outputting a print job of large amount by a printer, if another user wishes to output another job with such printer, such another user does not have to wait for a long time until the print output can be obtained. A person ordinary skill in the art would be motivated to do so because, this would save him time and efficiency is maximized.

Per claims 5-6, 15-16, 25-26, and 35-36, the claims are rejected for the reason stated in the rejection of claims 1, and 4, the reference of Kashiwazaki does differentiate between the print job list and job control data. It would have been obvious for a person ordinary skill in the art to send a change command to output and/or output control apparatus when the specified job is not

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in both storages, for the reason to change the schedule whenever it is needed to a change a print job request.

Per claims 7, 17, 27, and 37, the claim is rejected the reason stated in the rejection of claim 1, and the limitation of “wherein the instruction of change includes an instruction to cancel the output job” is taught by Kurachi in col. 9, lines 2-7 (*In response to the user's input, the print job selection device 1f selects the print job and sends the operation instruction information, such as an instruction to delete the print job, an instruction to stop or cancel the printing operation and the like, to the network printer 3 with respect to the selected print job*).

Per claims 8, 18, 28, and 38, the claim are rejected the reason stated in the rejection of claim 1, and the limitation of “an information processing apparatus according to Claim 4, further comprising change means for determining whether or not the output schedule of the selected output job can be changed, based on a control level set for the output job assigned by the instruction of change, and for changing the output schedule of the output, job based on a result of the determination” is taught by kashiwazaki in col. 4, lines 59-65.

Per claims 9-10, 19-20, 29-30, 39-40, and 42 the claim is rejected for the reason stated in the rejection of claim 1, and further the limitation of “an information processing apparatus according to Claim 1, wherein the output apparatus is a printer, and the output control apparatus is a print server”, and the connection through a network is taught by Kurachi in col. 1, lines 11-16.

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Per claim 41, the claim is rejected for the same reasons stated in the rejection of claim 1 and further the limitation of “instruction input means for accepting an instruction to change an output schedule of an output job selected on the display unit” is taught by Kashiwazaki for the reasons explained in the rejection of claim 4; and the limitation of “command transmission means for determining whether the output job assigned by the instruction is within the output apparatus or within the output control apparatus, and transmitting a change command to the output apparatus or the output control apparatus based on a result of the determination” is explained in the rejection of claim 5; the limitation of “first change means for changing an output schedule of the output job within the output apparatus in accordance with the change command transmitted from said command transmission means” is explained in the rejection of claim 6; and the limitation of “second change means for changing an output schedule of the output job within the output control apparatus in accordance with the change command transmitted from said command transmission means” is explained in the rejection of claim 8.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Majid A. Banankhah** whose voice telephone number is (703) 308-6903. A voice mail service is also available at this number.

All response sent to U.S. Mail should be mailed to:

**Commissioner of Patent and Trademarks**

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**Washington, D.C. 20231**

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Maid Banankhah

3/30/04



MAJID A. BANANKHAH  
PRIMARY EXAMINER